

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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Website address www.dir.ca.gov/oshsb**FINAL STATEMENT OF REASONS****CALIFORNIA CODE OF REGULATIONS**

Title 8, Chapter 4, Subchapter 6, Article 7, Section 3016; Article 20, Section 3120.6;
and Article 22, Section 3122.0 of the Elevator Safety Orders.

Elevator Pits

There are no modifications to the information contained in the Initial Statement of Reasons except for the following nonsubstantive and sufficiently related modifications that are the result of public comments and/or Board staff evaluation.

Section 3016(b)(6)

Subsection (b)(6) was modified to indicate that authorized personnel shall be present when it is necessary to enter the pit to remove accidental water accumulations. "Authorized personnel" is defined in Section 3009 of the Elevator Safety Orders

The purpose of the modification is to provide a more generic proposal by requiring that competent personnel be present when necessary to enter the pit to remove accidental water accumulations without specifying that the personnel shall be from a licensed elevator company.

The modification is necessary to permit authorized personnel to enter the pit of elevators owned by agencies such as municipalities, utilities, etc., where maintenance and inspections are performed in-house by agency personnel. The proposal applies to elevators installed prior to October 25, 1998.

Section 3120.6(d)

This section applies to elevators installed pursuant to ASME A17.1-1996. See Section 3016(b)(6) for purpose and necessity statements. This section applies to elevators installed after October 25, 1998.

SUMMARY AND RESPONSE TO ORAL AND WRITTEN COMMENTS

There were no written comments.

I. Oral Comments

Oral comments received at the January 16, 2003 Public Hearing.

Mr. Woody Wright, County of Los Angeles

Comment:

Mr. Wright stated some municipalities conduct their elevator maintenance in-house by in-house elevator personnel who are exempt from the licensing requirements. Section 3016(b)(6) would force municipalities to hire a contractor (licensed elevator company) to comply with Section 3016(b)(6). Mr. Wright recommended modifying the proposal to permit elevator personnel to oversee the removal of water accumulations from elevator pits. Mr. Wright made other comments not within the scope of this proposal.

Board Response:

The Board concurs with Mr. Wright's comment as it relates to this proposal. Sections 3016(b)(6) and 3120.6(d) were modified to address Mr. Wright's concern.

DETERMINATION OF MANDATE

These regulations do not impose a mandate on local agencies or school districts as indicated in the Initial Statement of Reasons.

ALTERNATIVE CONSIDERED

The Board invited interested persons to present statements or arguments with respect to alternatives to the proposed regulation. No alternative considered by the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected persons than the adoption action.